

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CARLOS SPENCER,)
Plaintiff,)
v.)
THE CHEESECAKE FACTORY,)
Defendants.)
Case No. 2:18-cv-2151-JPM-cgc

**ORDER ADOPTING THE REPORT AND RECOMMENDATION TO GRANT
DEFENDANT'S MOTION TO DISMISS AND COMPEL ARBITRATION**

Before the Court is the Report and Recommendation filed by U.S. Magistrate Charmaine G. Claxton on October 15, 2019. (ECF No. 19.) In the Report and Recommendation, the Magistrate Judge recommends that Defendant's Motion to Dismiss and Compel Arbitration (ECF No. 16) be granted, that this case be dismissed and that the parties are ordered to proceed in arbitration in accordance with the terms of their agreement. (ECF No. 19 at PageID 60.)

“Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). Plaintiff Carlos Spencer has not filed any objections to the Report and Recommendation, and the time for filing objections expired on October 29, 2019. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee note. On clear-error review of the Magistrate Judge’s Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation in its entirety. Accordingly, Defendant’s Defendants’ Motion to Dismiss and Compel Arbitration is GRANTED. This case is DISMISSED and the parties are ORDERED to proceed in arbitration under the terms of their agreement.

IT IS SO ORDERED, this 1st day of November, 2019.

/s/ Jon P. McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE